

Mitigated Negative Declaration

This statement and attachment constitutes the Mitigated Negative Declaration as proposed for adoption by the Lahontan Regional Water Quality Control Board (Regional Board) for the project described below.

Posting Date: May 21, 2003
To State Clearinghouse: May 21, 2003
Comment Period: May 21, 2003 to June 20, 2003
Proposed Adoption Date: July 9, 2003

Project Name: Granting a Categorical Exception to CTR/SIP Requirements for Priority Pollutants in Certain Categories of Limited Threat Discharges to Surface Waters

Staff Contact: John Steude (530) 542-5578, JSteude@rb6s.swrcb.ca.gov

Project Description: The project consists of granting a categorical exception to California Toxics Rule/State Implementation Policy (CTR/SIP) requirements for meeting priority pollutants criteria/objectives in certain categories of discharges covered by the Revised Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) General Permit for Limited Threat Discharges to Surface Waters (General Permit). The categorical exception only applies to short-term or seasonal, limited threat discharges that are carried out as control measures to comply with requirements of the federal Safe Drinking Water Act or the California Health and Safety Code. Specific discharge categories in the General Permit that are eligible for the categorical exception to CTR/SIP requirements for priority pollutants are:

1. Hydrostatic testing, maintenance, repair, and disinfection of potable water supply pipelines;
2. Water treatment plant backflushing, residuals, and wasting; and
3. Fire hydrant testing or flushing.

Project Location: The entire Lahontan Region. The jurisdiction of the Lahontan Region extends from the Oregon border to the northern Mojave Desert and includes all of California east of the Sierra Nevada crest. The region is approximately 570 miles long and has a total area of 33,131 square miles.

Environmental Finding: A California Environmental Quality Act mitigated Negative Declaration and Initial Study has been prepared. The project will not have a significant effect on the environment because permit requirements have been included that mitigate all possible significant impacts to a level of insignificance.

Lead Agency: Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150
phone: (530) 542-5400 fax: (530) 544-2271

Other Agencies Whose Approval May be Required: None

Public Hearing: July 9-10, 2003, South Lake Tahoe, CA (time & specific location to be announced)

Attachments: CEQA Initial Study; *REVISED WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT FOR LIMITED THREAT DISCHARGES TO SURFACE WATERS* (Board Order No. R6T-2003-PROPOSED)

How to Submit Comments: The Lead Agency invites comments on the proposal from all interested persons and parties. **Written comments must be received by 5:00 p.m. on June 20, 2003.** Written comments should be addressed to the Lahontan Regional Water Quality Control Board at the address/fax provided above. Oral testimony will also be accepted at the public hearing. For more information contact: John Steude, (530) 542-5578, JSteude@rb6s.swrcb.ca.gov

Environmental Checklist Form/Initial Study

1. **Project title:**

Regional Board Granting a Categorical Exception to CTR/SIP Requirements for Priority Pollutants in Certain Categories of Limited Threat Discharges to Surface Waters

2. **Lead agency name and address:**

Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150

3. **Contact person and phone number:**

John Steude, (530) 542-5578; JSteude@rb6s.swrcb.ca.gov

4. **Project location:**

The entire Lahontan Region that extends from the Oregon border to the northern Mojave Desert and includes all of California east of the Sierra Nevada crest. The region is approximately 570 miles long and has a total area of 33,131 square miles.

5. **Project sponsor's name and address:**

Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: John Steude

6. **General plan designation:** Not Applicable

7. **Zoning:** Not Applicable

8. **Description of project:**

Project Background

The Lahontan Regional Water Quality Control Board (Regional Board) implements a number of federal and state laws, most importantly the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act, aimed at protecting the beneficial uses of California's waters. The Regional Board sets water quality standards and discharge prohibitions, and issues federal NPDES permits and State waste discharge requirements or waivers of waste discharge requirements to regulate activity that may impact water quality. Certain discretionary Regional Board actions are subject to the California Environmental Quality Act, or CEQA. The Regional Board has broad enforcement authority to ensure compliance with permits and the *Water Quality Control Plan for the Lahontan Region*, also known as the Basin Plan.

Individuals, public agencies, and private businesses, and other legal entities often need to discharge high quality or relatively pollutant-free water that poses little or no threat to water

quality and the environment. Certain categories of these limited threat discharges are eligible for coverage under a region-wide general NPDES permit.

Waste Discharge Requirements (WDRs) for limited threat discharges resulting from construction dewatering and pump testing activities were adopted on June 4, 1998, under NPDES Permit No. CAG996001 entitled *NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT FOR LIMITED THREAT DISCHARGES TO SURFACE WATERS* (Board Order No. 6-98-36).

The Regional Board is revising waste discharge requirements as part of a state-wide effort to update permits to conform to current regulations and a region-wide effort to increase potential for coverage of limited threat discharges that may not be currently permitted or may be subject to an individual NPDES permit when a general permit would be more appropriate. The purpose of the updated NPDES permit (General Permit) is to update the monitoring and reporting program, include provisions of the California Toxics Rule (CTR), and expand the types of discharges covered by the General Permit.

The U.S. Environmental Protection Agency (USEPA) promulgated the CTR on August 5, 1997 (62 Federal Register 42160-42208) and codified the CTR at 40 Code of Federal Regulations section 131.38. The CTR established statewide water quality criteria for toxic priority pollutants for California.

The State Water Resources Control Board (SWRCB) adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (also known as the State Implementation Plan or SIP) on March 2, 2000. The SIP establishes: (1) implementation provisions for priority pollutant criteria promulgated by the USEPA through the National Toxics Rule (NTR) and through the California Toxics Rule (CTR), and for any priority pollutant objectives established in the Basin Plan; (2) monitoring requirements for 2,3,7,8-TCCD equivalents; and (3) chronic toxicity control provisions. All provisions of the SIP became effective as of May 22, 2000 and apply to discharges of toxic pollutants into the inland surface waters of California subject to regulation under the Porter-Cologne Water Quality Control Act (Division 7 of the CWC) and the CWA.

The action to adopt a general NPDES permit is exempt from provisions of Chapter 3 of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq.), in accordance with Section 13389 of the California Water Code. However, Regional Board action to grant a categorical exception to CTR/SIP requirements is subject to CEQA.

In this CEQA initial study, the project consists of granting a categorical exception to CTR/SIP requirements for priority pollutants for certain categories of limited threat discharges. All other requirements for constituents of concern are applicable and enforceable. The categorical exception to CTR/SIP requirements in the proposed General Permit covers three discharge categories when they are carried out to comply with the federal Safe Drinking Water Act or the California Health and Safety Code. These categories are denoted g, h, and i in Finding No. 10 of the General Permit and are, respectively:

1. HYDROSTATIC TESTING, MAINTENANCE, REPAIR, AND DISINFECTION OF POTABLE WATER SUPPLY PIPELINES, TANKS, RESERVOIRS, ETC. These are projects that are necessary for maintaining potable water supplies.

2. WATER TREATMENT PLANT BACKFLUSHING, RESIDUALS, AND WASTING. These are projects that are necessary for maintaining potable water supplies.
3. FIRE HYDRANT TESTING OR FLUSHING. These are projects that are necessary for maintaining potable water supplies and fire-fighting capabilities.

Discharge categories described in the General Permit, other than the three listed above, are not eligible for the CTR/SIP categorical exception pursuant to SIP requirements (Section 5.3, pp. 32-33). The policy requirements for categorical exceptions state:

“The RWQCB may, after compliance with the California Environmental Quality Act (CEQA), allow short-term or seasonal exceptions from meeting the priority pollutant criteria/objectives if determined to be necessary to implement control measures either:

1. For resource or pest management (i.e., vector or weed control, pest eradication, or fishery management) conducted by public entities to fulfill statutory requirements, including, but not limited to, those in the California Fish and Game, Food and Agriculture, Health and Safety, and Harbors and Navigation codes; or
2. Regarding drinking water conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety Code. Such categorical exceptions may also be granted for draining water supply reservoirs, canals, and pipelines for maintenance, for draining municipal storm water conveyances for cleaning or maintenance, or for draining water treatment facilities for cleaning and maintenance.”

Based on SIP requirements, dischargers must conduct a rigorous necessity determination to obtain coverage under the categorical exception. Dischargers are also required to implement mitigation measures that will reduce environmental impacts to less than significant levels and certify that beneficial uses have been restored upon project completion.

9. **Surrounding land uses and setting:**

The Lahontan Region is a large and diverse area. Much of the Lahontan Region is in public ownership, with land use controlled by agencies such as the U.S. Forest Service, National Park Service, and Bureau of Land Management, various branches of the military, the California Department of Parks and Recreation, and the City of Los Angeles Department of Water and Power. Land uses include residential, commercial, tourism, public service, agriculture, mining, energy production, recreation, and conservation. There is relatively little manufacturing industry in the Region in comparison to major urban areas of the state.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

There are no other public agency approvals required for granting the CTR/SIP categorical exception.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors marked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture Resources		Air Quality
	Biological Resources		Cultural Resources		Geology /Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

DETERMINATION:

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significant.

The environmental checklist is provided below. Explanations of potential environmental impacts and mitigation measures are provided at the end of the checklist.

<u>AESTHETICS</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				✓
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				✓

Finding: No Impact

<u>AGRICULTURE RESOURCES</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the				✓

Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

Finding: No Impact

<u>AIR QUALITY</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				✓
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?				✓
d) Expose sensitive receptors to substantial pollutant concentrations?				✓
e) Create objectionable odors affecting a substantial number of people?				✓

Finding: No Impact

<u>BIOLOGICAL RESOURCES</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Finding: Less than Significant Impact (see discussion at end of checklist)

<u>CULTURAL RESOURCES</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				✓
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d) Disturb any human remains, including those interred outside of formal cemeteries?				✓

Finding: No Impact

<u>GEOLOGY AND SOILS</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS – Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
ii) Strong seismic ground shaking?				✓
iii) Seismic-related ground failure, including liquefaction?				✓
iv) Landslides?				✓

b) Result in substantial soil erosion or the loss of topsoil?				✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓

Finding: No Impact

<u>HAZARDS AND HAZARDOUS MATERIALS</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		✓		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard				

for people residing or working in the project area?				✓
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

Finding: Less than Significant Impact with Mitigation Incorporation (see discussion at end of checklist)

<u>HYDROLOGY AND WATER QUALITY</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY – Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Violate any water quality standards or waste discharge requirements?			✓	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which general waste discharge requirements have been granted)?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✓
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?				✓

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				✓
f) Otherwise substantially degrade water quality?			✓	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				✓
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
j) Inundation by seiche, tsunami, or mudflow?				✓

Finding: Less than Significant Impact (see discussion at end of checklist)

<u>LAND USE AND PLANNING</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING – Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Physically divide an established community?				✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

Finding: No Impact.

<u>MINERAL RESOURCES</u>	Potentially Significant	Less Than Significant with	Less Than Significant	No
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	Impact	Mitigation Incorporation	Impact	Impact
X. MINERAL RESOURCES – Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

Finding: No Impact.

<u>NOISE</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE -- Would the project to grant a categorical exception to CTR/SIP requirements result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				✓
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				✓
c) A substantial permanent increase in ambient noise levels in the project vicinity above existing pre-project levels?				✓
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing pre-project levels?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

Finding: No Impact

<u>POPULATION AND HOUSING</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING – Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

Finding: No Impact.

<u>PUBLIC SERVICES</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES				
a) Would the project to grant a categorical exception to CTR/SIP requirements result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				✓
Police protection?				✓
Schools?				✓
Parks?				

				✓
Other public facilities?				✓

Finding: No Impact

<u>RECREATION</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. RECREATION --				
a) Would the project to grant a categorical exception to CTR/SIP requirements increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Finding: No Impact

<u>TRANSPORTATION & TRAFFIC</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC -- Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				✓
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				✓
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design				

feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e) Result in inadequate emergency access?				✓
f) Result in inadequate parking capacity?				✓
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				✓

Finding: No Impact

<u>UTILITIES & SERVICE SYSTEMS</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS - Would the project to grant a categorical exception to CTR/SIP requirements:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		✓		
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				✓
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓
g) Comply with federal, state, and local statutes				✓

and regulations related to solid waste?				
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Finding: Less than Significant Impact with Mitigation Incorporation (see discussion at end of checklist)

DISCUSSION OF POTENTIAL ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Project Description and General Mitigation Measures

The project consists of granting a categorical exception to CTR/SIP requirements for priority pollutants. To obtain the categorical exception, dischargers of toxic pollutants must apply to the Regional Board for General Permit coverage. The proposed categorical exception covers three discharge categories. These categories are denoted g, h, and i in Finding No. 10 of the General Permit and are, respectively:

1. HYDROSTATIC TESTING, MAINTENANCE, REPAIR, AND DISINFECTION OF POTABLE WATER SUPPLY PIPELINES, TANKS, RESERVOIRS, ETC. These are projects that are necessary for maintaining potable water supplies.
2. WATER TREATMENT PLANT BACKFLUSHING, RESIDUALS, AND WASTING. These are projects that are necessary for maintaining potable water supplies.
3. FIRE HYDRANT TESTING OR FLUSHING. These are projects that are necessary for maintaining potable water supplies and fire-fighting capabilities.

The proposed categorical exception does not cover other categories of discharge in the General Permit and the other categories of discharge will require CTR/SIP monitoring for priority pollutants.

The potential constituents of concern for discharge categories g, h, and i in Finding No. 10 of the General Permit are listed below:

Discharge Category in Permit Finding No. 10	Potential Constituents of Concern
g) Hydrostatic testing, maintenance, repair, and disinfection of potable water supply pipelines	Minor adhesives, scale, corrosion products, hardness, chlorine, rust, iron
h) Water treatment plant backflushing, residuals, and wasting	Filter sludge, water treatment chemicals, iron, chloride, aluminum sulfate, chlorine, algae, metals
i) Fire hydrant testing or flushing	Sediment, total dissolved solids, scale, corrosion products, chlorine

The SIP allows short-term or seasonal exceptions from meeting priority pollutant criteria/objectives if discharges are determined to be necessary to implement control measures regarding drinking water conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety Code. Dischargers covered by this categorical exception must provide detailed plans for protecting the environment and must obtain certification from a qualified biologist that beneficial uses have been restored upon completion of the project.

To obtain coverage under the categorical exception, a Discharger must submit to the Executive Officer for approval:

1. A written justification for the need to discharge as a control measure to comply with the federal Safe Drinking Water Act or the California Health and Safety Code.
2. A detailed description of the proposed action, including the proposed method of completing the action;
3. A time schedule;
4. A discharge and receiving water quality monitoring plan specific for any of the 126 priority pollutants;
5. CEQA documentation;
6. Contingency plans (for spills and upsets);
7. Identification of alternate water supply (if needed); and
8. Residual waste disposal plans;
9. Upon completion of the project, the discharger shall provide certification by a qualified biologist that the receiving water beneficial uses have been restored.

The General Permit requires a Best Management Practices Plan, compliance with Best Available Technology Economically Achievable (BAT)/Best Conventional Control Technology (BCT), compliance with water quality standards and compliance with a monitoring and reporting program to ensure protection of water quality and beneficial uses. The granting of an exception to CTR/SIP monitoring requirements is not anticipated to cause a significant effect on the environment because significant quantities of toxic pollutants are not anticipated to be present in covered discharges associated with potable water supplies. All Dischargers covered by the General Permit must agree to stop the discharge if water quality standards are being violated.

Granting a categorical exception for CTR/SIP monitoring requirements does not limit the enforcement authority of the Regional Board, and the Board may take enforcement action as necessary to ensure compliance with its environmental standards and regulations. Prospective projects that would impact riparian habitats and other similar sensitive areas would require permits and certifications from several agencies including the Regional Board, California Department of Fish and Game, and the US Army Corps of Engineers.

Specific Mitigation Measures for Specific Potential Environmental Impacts

Potential environmental impacts that could have an effect on the environment were identified for Biological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, and Utilities and Service Systems. These potential impacts will not have a significant effect on the environment because the potential impacts are less than significant or are reduced to less than significant with the incorporated mitigation measures.

The environmental checklist indicates that the project to grant a categorical exception to CTR/SIP requirements may potentially impact biological resources. The potential impacts to: 1) candidate, sensitive, or special status species; 2) riparian habitat or other sensitive natural community, 3) federally protected wetlands; and 4) movement of migratory species are considered to be less than significant given the discharge restrictions in the General Permit. Discharges covered by the permit are limited to short-term (days or hours) and are required to be non-toxic based on discharge prohibitions and receiving water limits.

The environmental checklist indicates that the project to grant a categorical exception to CTR/SIP requirements may potentially impact the public or the environment due to upsets or accidents with hazardous materials. These potential impacts are reduced to less than significant with the mitigation incorporated in the project. Dischargers covered by the categorical exception to CTR/SIP requirements are required to submit a Best Management Practices Plan with consideration for emergencies as well as a Contingency Plan for spills and upsets. These mitigation measures reduce the potential impacts due to hazardous materials to less than significant.

The environmental checklist indicates that the project to grant a categorical exception to CTR/SIP requirements may potentially impact hydrology and water quality. The potential impacts of: 1) degrading water quality, 2) violating water quality standards or waste discharge requirements, or 3) exposing people or structures to flooding are less than significant within the terms of the General Permit. The General Permit requires compliance with the Basin Plan Nondegradation Policy. All dischargers covered by the General Permit agree to immediately stop the discharge if water quality standards or waste discharge requirements are violated. Monitoring is required to ensure water quality standards and waste discharge requirements are not being violated. The General Permit requires the preparation and implementation of a Best Management Practices Plan that addresses flow control to prevent erosion and flooding.

The environmental checklist indicates that the project to grant a categorical exception to CTR/SIP requirements may potentially impact utilities and service systems in that wastewater treatment requirements may not be met. This potential impact is less than significant with the incorporated mitigation measures. Discharges covered by the General Permit are required to meet all applicable water quality standards and waste discharge requirements. If the discharge does not meet water quality standards or waste discharge requirements, it is required to be treated until it does or it cannot be discharged (e.g., filtering of solids prior to discharge). Monitoring for the constituents of concern is required to ensure compliance with water quality standards and waste discharge requirements.

No-Project Alternative Evaluation

The alternative to the project to grant a categorical exception to CTR/SIP criteria and objectives is to not grant the exception and require full compliance with CTR/SIP requirements. This alternative would require sampling and analysis for priority pollutants in representative discharges and calculation of effluent limits if deemed necessary by the data. Although the categorical exception may be available for certain discharges, permit applicants may decide that it is in their interest to fully comply with CTR/SIP requirements rather than apply for the categorical exception.

<u>FINDINGS</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or		✓		

restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

Finding: Less than significant Impact with Mitigation Incorporation

The Regional Board will require compliance with all applicable water quality control plans, including specific exemption findings, and will prohibit creating any pollution, contamination or nuisance conditions as defined by the California Water Code Section 13050.

The categorical exception for CTR monitoring of priority pollutants would be conditional and could be terminated at any time by the Regional Board. The Regional Board determines that discharges conducted in compliance with the General Permit will not adversely affect the quality of or the beneficial uses of the waters of the State, and will not be against the public interest pursuant to California Water Code (CWC) Section 13269.

The Regional Water Board has determined that implementation of this project and compliance with existing state and federal plans and policies will mitigate environmental impacts to a less than significant impact level.